



**MINUTES OF THE GILA COUNTY  
BOARD OF ADJUSTMENT  
Thursday, January 18, 2018  
GILA COUNTY BOARD OF SUPERVISORS CONFERENCE ROOM  
610 E. Highway 260, Payson, AZ  
9:00 A.M.**

**REGULAR MEETING**

1. The meeting was called to order at 9:00 A.M. by Chairman Don Ascoli.
2. Pledge of Allegiance was led by Chairman Don Ascoli.
3. Roll Call: Therese Berumen did the roll call; Chairman Don Ascoli (in Payson), Terry Otts (in Globe), Bill Marshall (in Globe), Mickie Nye (in Payson), and Mary Lou Myers (in Payson) are all present. No members were absent. A quorum is present.

Community Development Staff Members Present: Scott Buzan-Director, Robert Gould-Planner and Therese Berumen-Administrative Assistant.

4. Review and Approval of the Board of Adjustment Minutes on October 19, 2017. Chairman Don Ascoli asked if there were any changes needed to the minutes. No changes were suggested. Bill Marshall motioned that the minutes be approved as is and Terry Otts seconded the motion. The motion was unanimously approved.
5. **Director/Planner Communication:** At any time during this meeting of the Board of Adjustment, Director Scott Buzan and/or Planner Robert Gould of Community Development may present a brief summary of current events. No action may be taken.

Neither Scott Buzan nor Robert Gould had any items they wanted to discuss.

**Public Hearing:**

6. **V-17-02 Allen Reed:** A request to obtain a Variance to construct an addition to the existing residence on the property. The applicant finds that due to the topography of his parcel, that he has limited options and is requesting a 6-foot rear property line setback, instead of the required 20-foot. Subject property is located at 165 N. Tonto Rim Ranch Road, Payson, AZ; Gila County Tax Assessor's Parcel 303-04-029 and is currently zoned GU (General Unclassified).

Robert Gould presented the staff report overview. Mr. Reed owns a home in Rim Ranch Subdivision and would like to expand the size of it. The home is positioned on the rear portion of the lot and is under 800 square feet right now. The rear deck on the home is estimated to be approximately 5 feet from the rear property line. There is a seasonal creek which affects two-thirds of this property. The drainage makes it very difficult to even reach the home due to the steepness of the terrain. The rear property line starts the U.S. Forest Service land. Staff believes that granting this Variance has almost no chance of becoming a nuisance to surrounding properties, due to not having any private land located off the rear property line, therefore, staff

would recommend the Board of Adjustment approve V-17-02, to allow a 6-foot rear property line setback, to expand the home. I estimate the existing deck to be about 6 feet from the rear property line and decks are also allowed to encroach into the setback. Mickie Nye asked if the three questions that were listed under the analysis section of the staff report were asked and answered. Robert Gould stated that one question that they got a positive response to, were the topographic issues that the property faces. It literally takes almost two-thirds of his lot out of any kind of development potential. He is really forced to push it back to the rear portion of his lot.

The meeting was opened to public comment. Allen Reed stated that like Mr. Gould previously said, the topography of his lot leaves him very little room to expand and that is why it was decided upon to expand towards the rear property line. Mr. Gould came out 2 years ago and walked the property with me and was able to see the topography I am dealing with. The back boundary is the Tonto National Forest boundary and isn't buildable. The original structure (cabin), along with the deck was built in 1983. I will be retiring and making this my year-round home and need to add to it. It is only a 2-bedroom, 1 bath right now. That is why I am respectfully requesting this Variance. Board member Mickie Nye asked if Mr. Reed had a timeframe for completion and Mr. Reed responded that he is hoping within the year. Robert Gould stated that it might be a good idea to put a condition stating that permits need to be taken out for this project within 18 months. Mr. Reed asked if there was any feedback from the public (neighbors) and Chairman Don Ascoli stated no because there was nothing in the agenda packets. No other public comments. The public comment portion of the meeting was closed.

Mickie Nye motioned to approve Variance V-17-02 and allow a 6-foot rear property line setback, with the only condition that permits be taken out within 18 months. The motion was seconded by Mary Lou Myers. The motion was unanimously approved.

7. Adjournment. Mickie Nye made a motion to adjourn the meeting and Mary Lou Myers seconded the motion. The motion to adjourn was unanimously approved at 9:14 A.M.